CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE SEVEN HUNDRED AND EIGHTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 15 June 1995, at 10 a.m.

President: Mr. Antonio de Icaza (Mexico)

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The PRESIDENT (translated from Spanish): I declare open the 708th plenary meeting of the Disarmament Conference.

Today I have the dual honour of assuming the Presidency of the Conference on Disarmament and of taking the floor here for the first time as head of the delegation of Mexico. I am aware that this dual honour brings with it a dual responsibility.

On the one hand, the international community expects concrete measures from this body in the year when we are celebrating the first half-century of the United Nations and the fiftieth anniversary of the end of the last world war. This obliges us to make additional efforts as to demonstrate our political will and our ability to reach general agreements so as to organize and conclude the tasks within our purview.

On the other, Mexico has always regarded disarmament as a priority item in our foreign policy and in this forum famous Mexicans have brilliantly promoted the best interests of the international community. Permit me feelingly to mention the names of Luis Padilla Nervo, Antonio Gómez Robledo and Alfonso García Robles, and to pay a well deserved tribute to my immediate predecessor, Ambassador Miguel Marín Bosch. The 1995-2000 National Development Plan that, pursuant to the provisions of the Constitution of the Republic, President Ernesto Zedillo submitted to the Congress of the Union on 31 May last, states that "The promotion of peace around us and in other parts of the world is both the realization of a principle and an instrument of national development. Peace presupposes respect and tolerance among nation States, adherence to international law and willingness to perform commitments entered into. Therefore, Mexico regards it as important to participate in processes of peace-making through dialogue, to build broad and viable consensus for disarmament and non-proliferation of nuclear and conventional weapons, and to combat illegal arms dealings".

I should like to express my delegation's appreciation of the way in which Ambassador Don Nanjira, Permanent Representative of Kenya, conducted our business in the last few months; we are grateful for his valuable contribution. I should also like to thank all distinguished colleagues who have welcomed me here.

I am convinced that the Conference must live up to the expectations of the international community. The recipe for successful multilateral negotiations is well-known: shared objectives, understanding on priorities, frameworks for debates and timetables and, of course, cooperation with the Presidency. Regarding objectives, we all share that of eliminating nuclear weapons and achieving a treaty on general and complete disarmament under strict and effective international control. Regarding basic understandings, we have an agenda, rules of procedure and decisions on the organization of work adopted at the beginning of the year. It is time to rise beyond the differences that have prevented us from carrying through our programme and to respond to the trust placed in us by the international community. As for the presidency, I would like to thank you in advance for the patience you will

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show to me as someone who left this forum almost a third of a century ago. In terms of a human life, this may seem a lot; unfortunately, in terms of disarmament it is not much. For may part, I promise to do my best.

It would also be appropriate to meet the aspirations of the United Nations General Assembly, which every year calls upon this Conference to negotiate a convention on the prohibition of the use of nuclear weapons and to consider the appropriateness of establishing an ad hoc committee to begin the major negotiations that we have been asked to undertake. In the same line of thinking, my delegation wishes to repeat the appeal it made at the recent NPT Conference to nuclear-weapon States to cease all production of those weapons within the framework of a truly verifiable ban.

Non-proliferation of nuclear weapons is an issue that has caught the attention of the international community in recent months. The results of the Non-Proliferation Treaty Review and Extension Conference are closely related to the work of the Conference on Disarmament and has a major influence on our agenda. Today more than ever consideration should be given within the agenda of the Conference to all facets of the non-proliferation of nuclear weapons, because it would be an opportunity to give continuity to this exercise and to move towards consolidating a genuine non-proliferation regime that would be wide-ranging in its objectives, non-discriminatory in essence and universal in its effects. José Angel Gurría, Mexico's Minister for Foreign Affairs, addressed the Review and Extension Conference and described the central elements of our participation. He stated that Mexico has given reliable proof of its commitment to non-proliferation of weapons of mass destruction and has therefore also stressed the need for those countries that hold nuclear weapons to commit themselves specifically and precisely to the shared objective of eliminating them. Mexico has further insisted, he said, on the need to curb and reverse the nuclear arms race through agreement on specific measures, beginning with the complete cessation of nuclear testing.

The 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons decided to adopt, simultaneously and without a vote, principles and objectives for non-proliferation and disarmament that include a programme of action, strengthening of the review process for the Treaty and the indefinite extension of its validity. Obviously, the indefinite validity of a treaty means that the rights and obligations contracted by the parties do not expire on a fixed date. This, of course, does not mean that, as it seems to me I have heard, the treaty has become permanent or eternal. Few things in nature or in life are that, and certainly not an instrument conceived as a step towards a broader objective, subject to periodic evaluation and susceptible of being denounced. The Treaty will be effective in so far as all the Parties fulfil their obligations. The international community gives priority to genuine non-proliferation - in other words, to a situation where there is no increase in the dissemination of nuclear weapons or in existing arsenals and where competition for their qualitative improvement ceases. Genuine non-proliferation is an indispensable first step towards nuclear disarmament and towards the abolition of those weapons whose mere existence constitutes a threat to the very survival of humanity. If my Government subscribed to the indefinite extension of the

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Treaty, it was because it understood that decision as being linked to the decision to make concrete progress in the sphere of nuclear disarmament through a programme of action and on the basis of principles agreed upon on that occasion. We were confident, as was the international community, that the decisions taken at the Conference would stimulate our efforts to attain our shared objectives. Contrary to what was expected, the NPT Conference did not achieve the consensus necessary to adopt a declaration. The session of the United Nations Disarmament Commission immediately after the NPT Conference also proved unable to achieve consensus, and in this Conference we seem bogged down in procedural matters.

Apparently the indefinite extension of the NPT did not have the positive effect we expected. The Conference was barely over when a nuclear Power carried out a new nuclear test, and another one has just announced its intention to carry out eight additional tests in the coming months. Both have ignored the call for an end to nuclear tests as the necessary basis for the creation of an atmosphere conducive to the conclusion no later than 1996 of a comprehensive nuclear-test-ban treaty that was unquestionably one of the Conference's most important achievements. We therefore once again exhort China and France to abide by the moratorium on nuclear testing because to hold more tests would undoubtedly cause justified concern in the South Pacific countries and, generally, in all countries.

These difficulties and events, which we regret, are disappointing, but they do not alter the fact that the present international scene is highly propitious to the consolidation of our disarmament objectives and realizing the goals we have set ourselves is only a question of political will. Foremost among those goals is the conclusion of a comprehensive nuclear-test-ban treaty. Negotiations began early in 1994 and we have to settle the fundamental elements of the treaty. The rolling text makes it easier to express the political will that prompts us all to conclude the treaty successfully and soon. Finding a solution to the question of the scope of the treaty is urgent. It is evident that a comprehensive nuclear-test-ban treaty should, as its name indicates, prohibit nuclear tests completely. During the spring session we achieved some progress and we must reach agreements that will result in the total banning of all nuclear tests irrespective of the purpose for which it is claimed they are made. With respect to the entry into force of the treaty, perhaps a simple formula like the one used in the Chemical Weapons Convention would offer the best chance of agreement. The key decisions on the verification system are still pending. There are still large differences of opinion regarding cost-sharing and the role the Organization would have in identifying a possible violation. These are political decisions within our powers. I have merely mentioned some of the most important problems we have to resolve if we want to fulfil our task. I would like to appeal here for the intensification of efforts to conclude the CTBT this year, and to express gratitude to the Chairman of the Ad Hoc Committee, Ambassador Lud Dembinski, and to the Chairman of the Working Group on Verification, Ambassador Lars Norberg, and the Chairman of the Working Group on Legal and Institutional Matters, Ambassador Jaap Ramaker.

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Another of the commitments entered into during the Review and Extension Conference is the immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissionable material for military uses. This was one of the key issues during negotiation of the Treaty on the Non-Proliferation of Nuclear Weapons and has also been a fundamental element of many resolutions of the General Assembly. It is urgent for the Ad Hoc Committee of the Conference to begin work immediately within the framework of item 2 of the agenda and on the basis of document CD/1299 of 23 March of this year.

Lastly I should like to refer to the question of the re-establishment of other subsidiary bodies of the Conference. We have an obligation to adopt measures to assure non-nuclear-weapon States, through a legally binding instrument, against the use or threat of use of nuclear weapons. Mexico made a proposal during the NPT Review and Extension Conference for the annexation to the Treaty of a protocol similar to Additional Protocol II to the Treaty of Tlatelolco so as to make negative security assurances universal. Likewise, together with several countries of the Group of 21 we have put forward a draft protocol here. We must ensure that the use of outer space is for peaceful purposes only and for the benefit of all humanity. The relevant committee must resume work as soon as possible. Lastly, we all agree that the enlargement and the agenda of the Conference deserve urgent decisions. I shall begin consultations in the next few days with a view to overcoming our difficulties regarding the organization of work.

The international climate is currently conducive to consolidating our disarmament objectives. Every effort must be made to build a consensus that will enable us to take advantage of the opportunities offered by the climate of cooperation that began early this decade. We should strive to find consensus precisely now that the danger of nuclear war seems further away. We should build on a minimal basis, which could be the elements of the principles and objectives of nuclear non-proliferation and disarmament recently agreed upon by a large number of States. We should begin by achieving the practical measures that circumstances allow and that will take us closer to the common goal: the abolition of nuclear weapons and disarmament.

I have on the list of speakers for today the representatives of France, the Republic of Korea, New Zealand, Australia, Chile, Canada, Sweden, Norway, Ireland and Belgium.

Mr. ERRERA (France) (translated from French): Mr. President, allow me first of all to welcome you among us and warmly to wish you every success in your important mission here in Geneva. Your country has always made it a point of honour to be represented here by distinguished persons; your predecessor, our friend Ambassador Miguel Marín Bosch, is the latest example of that and we are delighted that the tradition is being continued with you. I would also like to congratulate you on taking over the presidency of the Conference at a particularly important point in its work. I would also like to hail the efforts made by your predecessor, Ambassador Don Nanjira

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of Kenya. Lastly, I would like to bid welcome to our new colleagues, Ambassador Munir Akram of Pakistan, Ambassador Agus Tarmidzi of Indonesia and Ambassador Celso Lafer of Brazil.

The President of the Republic has just announced that France will be carrying out a final series of nuclear tests. The decision has to be seen in the light of the following considerations.

Firstly, the decision was taken because it was necessary. France suspended its tests in April 1992; that it to say, before the completion of the tests that would have enabled us to end them permanently. France was therefore obliged to carry out a final test campaign in order in particular to be able to embark determinedly on a policy of using simulation in order to guarantee the safety and reliability of its weapons. France has undertaken to end its tests permanently by 31 May 1996 and will thus be in a position to join before the end of 1996 in the conclusion of a comprehensive nuclear-test-ban treaty, in accordance with the objectives which the international community has set itself.

Secondly, the decision is not a surprise. On the day CTBT negotiations began we indicated clearly that we were keeping open the option of resuming tests. I myself said in this room on 7 February 1994 that "We have never agreed to establish a link between the continuation of the current moratoria on tests and the negotiation of a comprehensive test-ban treaty". I added that "for us, there is no incompatibility between the possible resumption of tests and our involvement in these negotiations". That position has been restated unambiguously since then.

Thirdly, the decision is consistent with our obligations and our responsibilities in the field of non-proliferation. I might remind you that no international text provides for an obligation definitively to suspend tests at the present stage. On the other hand, as we all know, the declaration on principles and objectives adopted at the end of the NPT Review and Extension Conference on 11 May last recommends, and I quote "utmost restraint" pending the entry into force of a comprehensive test-ban treaty. France respects that constraint. This will be the final series of tests. It will be limited in number (eight in all). It will be limited in time (from September 1995 to May 1996 at the very latest). And, of course, like the previous ones, it will be conducted in the most stringent conditions of safety and environmental protection.

Fourthly, the decision confirms our commitment to the negotiation of a comprehensive nuclear-test-ban treaty. The aim of this final series of tests is precisely to enable us to end our testing permanently, in accordance with the objectives of the CTBT. Without resuming our tests we would not be in a position to adhere to such a treaty in 1996. So, the decision which we have taken is intended to enable us to comply with the schedule set forth in the declaration on principles and objectives which was adopted at the same time as it was decided to extend the NPT indefinitely. It goes without saying that

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France's commitment to join in concluding a CTBT before the end of 1996 is essential: a comprehensive nuclear-test-ban treaty will only be meaningful if the five nuclear-weapon States adhere to it.

Fifthly, and lastly, the decision in no way affects our willingness to contribute to disarmament. As a nuclear Power, France has an essential aim: to maintain the credibility of its deterrent capabilities, the underpinning of its security and independence. It will continue to assume this responsibility. At the same time, France has a duty to take part in the movement towards disarmament. In this regard, the nature of the test series, and its end purposes, show clearly that France intends neither to design new types of weapons nor to increase the number or yield of its existing weapons, nor to develop miniature weapons, nor to modify the role of nuclear weapons in its defence doctrine. Our Prime Minister, Mr. Alain Juppé, who addressed the National Assembly yesterday, 14 June, was categorical on these points. This final series of tests fits strictly within our constant strategy of deterrence, which precludes nuclear warfare and seeks solely to prevent war. This strategy will remain purely defensive. Our means will be maintained strictly at the level of adequacy.

In introducing his Government's programme, the Prime Minister, Mr. Alain Juppé, said before the French Parliament on 23 May last, "Our duty is to ensure the credibility and effectiveness of our deterrence in all circumstances while preserving the aim of concluding a test-ban treaty by the end of 1996. Our country intends to contribute fully to the fight against proliferation, which was marked just recently by the indefinite extension of the nuclear non-proliferation Treaty". This is the meaning behind the decision which has just been adopted by the President of the Republic.

The PRESIDENT (translated from Spanish): I thank the distinguished representative of France for his statement and for the kind words he addressed to the Chair.

Mr. HO (Republic of Korea): Mr. President, allow me, at the outset, to extend my warmest congratulations to you on your assumption of the presidency. My delegation is confident that under your able leadership and guidance productive results will be achieved.

I have requested the floor today to elaborate on my Government's position concerning nuclear-related disarmament issues. First of all, the Government of the Republic of Korea welcomes the decision on the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons which was adopted in New York last month. My Government's assessment is that such a decision is a great success. All peace-loving countries have demonstrated a concerted harmony in making permanent the legally-binding international norm of delegitimizing the further proliferation of nuclear weapons under any circumstances, whether it be horizonal or vertical. We believe that the indefinite extension of the Treaty will enhance its role and status as an international non-proliferation norm. Indeed, the exercise of international

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pressure and sanctions against any State failing to comply with obligations under the Treaty will be more legitimized with further strengthened justifications.

My delegation holds the view that the most important task at this stage is to continue to move with determination toward the full realization and effective implementation of the provisions of the Treaty. In this regard, my Government deems it necessary to devote our utmost efforts to implementing the decisions on the "Principles and Objectives for Nuclear Non-Proliferation and Disarmament" and on "strengthening the review process for the Treaty". In order to maximize the benefit of the indefinite extension of the Treaty, it is necessary to, first and foremost, demonstrate our strong will to implement such decisions in good faith. The Conference on Disarmament has an important role to play as the only multilateral disarmament negotiating body. A significant portion of the follow-up measures for the effective implementation of the Treaty are to be dealt with promptly in the framework of the Conference on Disarmament. The document on the Principles and Objectives for Nuclear Non-Proliferation and Disarmament elaborates on the main elements of the follow-up measures as follows: (a) the completion by the Conference on Disarmament of the negotiations on a comprehensive nuclear-test-ban treaty no later than 1996; (b) the immediate commencement and early conclusion of the cut-off negotiations; (c) the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons.

It is my Government's firm belief that the early conclusion of a comprehensive nuclear-test-ban treaty would contribute to the prevention of nuclear proliferation and to substantial progress in the fields of nuclear disarmament. Given this, the early conclusion of CTBT negotiations at the latest by 1996, will constitute a strong stepping-stone in the effort to strengthen the NPT regime in the coming decades. In this regard my delegation would like to extend again its sincere appreciation to the NTB Ad Hoc Committee and its subsidiary working groups for their unswerving efforts in having produced the second version of rolling text of the future treaty (CD/NTB/WP.235) during the first session of this year. I hope that such efforts will be continued at the same pace as before pending the eventual conclusion of the Treaty.

The NPT Review and Extension Conference emphasized that the nuclear-weapon States should exercise utmost restraint pending the entry into force of a comprehensive test-ban treaty. Any nuclear testing at this stage would set back the on-going test ban negotiations. I regret very much the recent recurrence of the nuclear explosion test and the proposed tests. The Government of the Republic of Korea calls upon all nuclear-weapon States to refrain from testing, and strengthen their efforts to consolidate nuclear non-proliferation and disarmament measures.

With respect to cut-off issues, I would like to express my appreciation to the Canadian delegation, led by Ambassador Shannon, for their dedicated efforts in having achieved a consensus last March on the negotiating mandate for the cut-off Ad Hoc Committee, which is based on resolution 48/75 L of the

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United Nations General Assembly. Taking into account the fact that the cut-off treaty is expected to play a significant role in the further strengthening of the nuclear non-proliferation regime, my delegation is prepared to provide its full support for the successful negotiation of the treaty in the coming months ahead, in the hope that the cut-off negotiations will be commenced as soon as possible during this session.

As regards our efforts to strengthen the NPT regime, my delegation is of the view that the promotion of international cooperation in the peaceful uses of nuclear energy is also important for the future development of the regime. In this connection, transparency and accountability in nuclear-related export controls should be reinforced, thereby leading to greater opportunities for the peaceful uses of nuclear energy.

The denuclearization of the Korean Peninsula is an essential ingredient in securing peace and security in north-east Asia. The United States and North Korea issued a joint press release in Kuala Lumpur on 13 June after three weeks of negotiations to implement the Agreed Framework reached in Geneva last October. They have agreed on the major principles for providing light-water reactors (LWRs) to the North. My Government considers the Kuala Lumpur agreement as a meaningful step forward in resolving North Korea's nuclear issue, in view of the fact that the agreement has laid the basis for implementing the LWR project. According to the agreement, the LWRs will be provided to the North by the Korean Peninsula Energy Development Organization (KEDO) on a turn-key basis. The Korean Government, therefore, supports the accord with the understanding that the early resumption of dialogue between South and North Korea is indispensable to the complete resolution of North Korea's nuclear issue, as provided for in the United States-North Korea Agreed Framework signed in Geneva last October. We firmly believe that the denuclearization of the Korean Peninsula will be greatly conducive to creating peace and security in north-east Asia as a whole. In this regard, we urge North Korea to come forward to South-North dialogue as soon as possible for the implementation of the 1991 Joint Declaration on the Denuclearization of the Korean Peninsula.

Before concluding my statement, I would like to touch upon the issue of CD expansion. My delegation believes that we must now focus our efforts on devising a formula by which the issue of CD expansion could be solved without further delay. The decision was reached on the indefinite extension of the NPT. The remaining tasks before us should be to intensify, globalize, and revitalize our common efforts to strengthen the NPT regime in the coming century. We need to act quickly before it is too late. It is deeply regrettable that since the O'Sullivan report on this issue failed to be adopted in August 1993, we have never seen tangible efforts by the member States to find a solution to the deadlocked situation of the issue. The restructuring of the Conference on Disarmament is long overdue. The countries which have a strong will and capability to make contributions toward multilateral disarmament should be given the opportunity to join the CD as full member States. Once again, my delegation would like to draw the attention of all CD member States to the urgency and importance of concluding the issue of CD expansion.

The PRESIDENT (translated from Spanish): I thank the representative of the Republic of Korea for his statement and for his kind words to the Chair.

Mr. AMANO (Japan) (translated from French): Mr. President, permit me first of all to congratulate you on your assumption of the presidency of the Conference. I am certain that, with your personal ability and your long experience as a diplomat, you will help to resolve our problems by making good use of the time remaining to us in this second part of the 1995 session.

It was with profound disappointment that Japan learned of the decision by France to resume nuclear testing. It is, obviously, our country's firm conviction that nuclear testing must be stopped. Japan deeply regrets that France should have decided to resume nuclear testing although we came to an agreement at the recent NPT Review and Extension Conference in New York, an agreement which stipulates that the nuclear-weapon States should exercise "utmost restraint" in the sphere of nuclear testing. Mr. Yohei Kono, Deputy Prime Minister and Minister for Foreign Affairs of Japan, stated clearly in the conversation he had with Mr. Hervé de Charrette, Minister for Foreign Affairs of France, that "The decision by France signifies the betrayal of the trust that non-nuclear-weapon States had in the nuclear-weapon States".

Japan would like to take this opportunity to reiterate its position concerning the moratorium on nuclear tests. It is that the moratorium must be maintained and observed by the nuclear-weapon States, including France.

The PRESIDENT (translated from Spanish): I thank the representative of Japan for his statement and for his kind words to me.

Mr. ARMSTRONG (New Zealand): Mr. President, let me first warmly welcome you to Geneva and congratulate you on the assumption of the presidency of the Conference on Disarmament. Mexico and New Zealand share a strong friendship, and you may be assured of my delegation's full cooperation in all your tasks over the coming weeks.

New Zealand and Mexico have for many years worked together in this Conference and in other United Nations organizations to bring an end to all nuclear testing. That goal is within sight. For the first time the nuclear-weapon States have agreed to a deadline for the conclusion of the CTBT negotiations, to exercise utmost restraint pending its entry into force, and to pursue with determination the complete elimination of nuclear weapons. These commitments were made in the context of the decision in May to make the NPT permanent, a decision which New Zealand believes enhances the security of all countries.

Days after these commitments were entered into China conducted a nuclear-weapon test. I informed the Conference of the strong protest of the New Zealand Government and people in a statement made at the beginning of this session, which can be found in document CD/1318.

France has now announced a decision to resume testing in September at its test site on Moruroa atoll in the South Pacific. I wish to inform the

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Conference today of the outrage expressed by the New Zealand people and Government at this announcement, which runs counter to the direction in which the world is moving and counter to efforts to advance the cause of non-proliferation. New Zealand rejected the arguments advanced in the CTBT negotiations for a provision on so-called "safety tests" in the body of the treaty, and we reject now the argument that further tests are required to ensure the safety of France's nuclear arsenal before the treaty enters into force. There is no justification for a resumption of testing that can be consistent with the commitments notably, to "utmost restraint" that France made at the NPT Conference, or with its responsibility not to jeopardize progress in the CTBT negotiations.

In taking this decision France has ignored the strength of opposition to testing voiced most recently by representatives of South Pacific countries at the NPT Conference and embodied in the South Pacific Nuclear Free Zone. At that Conference France agreed that the cooperation of all the nuclear-weapon States and their respect and support for the relevant protocols is necessary for the maximum effectiveness of nuclear-weapon-free zones. The decision to resume testing contradicts that position and is a serious setback to France's relations with the South Pacific region.

The New Zealand Government has announced a number of measures, mainly affecting defence cooperation, which it has taken in response to the French decision. At the same time it has urged the French authorities to reconsider their decision. I make the same call here today, for the sake of both the CTBT negotiations and of France's international standing. I will be asking the secretariat to circulate my Prime Minister's statement to the New Zealand Parliament on this question.

The PRESIDENT (translated from Spanish): I thank the representative of New Zealand for his statement and for the kind words he addressed to the Chair.

Mr. STARR (Australia): Mr. President, I would like to welcome you to this Conference and to congratulate you warmly on your assumption of the presidency. I can assure you of the full cooperation of my delegation in addressing the formidable procedural issues facing your presidency.

It is with regret that I ask for the floor today to address the decision by France to resume nuclear testing in the South Pacific. In line with Australia's absolute opposition to nuclear testing, the Australian Government unequivocally deplores France's decision. Australia's Prime Minister, Paul Keating, has made the following statement:

> "Australia deplores France's decision to resume nuclear testing in the South Pacific, announced by President Chirac on 13 June. Australia is adamantly opposed to nuclear testing by any nuclear-weapon State. In recent months we have made our opposition very clear to the French, including to President Chirac. France's decision is all the more regrettable given that the moratorium it had observed on nuclear testing, together with those of the United States, Russia and the United Kingdom,

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was an invaluable contribution to the strengthening of global non-proliferation. France last conducted a nuclear test in July 1991 and announced a moratorium on its nuclear testing programme in April 1992.

The actions of both France and China (which conducted a test on 15 May) run counter to the undertakings they made at the recent nuclear non-proliferation Treaty Review and Extension Conference to exercise 'utmost restraint' in nuclear testing.

Australia has welcomed the commitment made at the NPT Review and Extension Conference to the completion of the negotiations for a comprehensive test-ban treaty no later than 1996. Any further test by any of the nuclear-weapon States would inevitably cloud the positive and constructive atmosphere of the comprehensive test-ban treaty negotiations in Geneva. While I note that President Chirac's announcement foreshadows that the number of nuclear tests will be limited to eight between September 1995 and May 1996, I emphasize that the international community is looking to the nuclear-weapon States to desist from further testing as the CTBT negotiations enter this final and critical stage.

As Chairman of the South Pacific Forum I will be in contact with my South Pacific colleagues about registering our strong objections to France's decision to resume testing and our concern about its implications, including for the South Pacific Nuclear Free Zone. Australia has repeatedly urged France to accede to the protocols of the Treaty. During the negotiations at the nuclear non-proliferation Treaty Review and Extension Conference in May, France undertook to give early consideration to doing so.

In the present circumstances the Government has decided to freeze cooperation between Australia and France in the defence field at its existing level while any new testing programme continues. The Australian Embassy in Paris has been instructed to convey Australia's protest to the French Government."

As the Prime Minister's statement indicates, a range of implications flow from this serious and most regrettable decision. The essential issues to address here in the Conference on Disarmament however, are the implications which bear on the Conference, and in particular on its negotiations towards a comprehensive test-ban treaty. Australia has placed high importance on the attainment of this objective and, in the light of French intentions and continued testing by China, now regards its achievement with even greater urgency.

In support of those negotiations and as an expression of their commitment, we have expected restraint from the nuclear-weapon States. Indeed, the nuclear-weapon States themselves endorsed the principle of "utmost restraint" only last month. As the Australian Prime Minister said, we do not consider initiation of a new programme of nuclear testing explosions as consistent with the notion of "utmost restraint". We do note, however, the commitment expressed yesterday by President Chirac to conclude these tests by

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the end of May 1996 and his commitment, without reservation, to sign a comprehensive test-ban treaty by the Autumn of 1996. We recognize the importance of those commitments and expect France to honour them.

Honouring the first commitment is solely within the hands of the French Government. As we all know, however, the second depends on there being an agreed text available in good time for signature. Only one week ago, in speaking to this plenary, I addressed key issues facing us if we, the negotiators, are to be seen as serious in our intent to conclude the CTBT as soon as possible, and certainly no later than 1996. The President of France has said he will stop testing in May and sign by the Autumn. That is by the time of the 1996 United Nations General Assembly, by September, or October at the latest. This would mean this Conference would have to complete its work by summer, by July at the latest. I emphasize, this is not what we had, or have in mind by the commitment to conclude "as soon as possible". We would hope for an earlier conclusion and will work for that. But even to guarantee completion by this mid-year target will require significant movement on key issues as we detailed in my statement last week, particularly on the scope of the Treaty. Given this decision on testing and the commitment of President Chirac, we look to France in particular to take concrete steps in the CTBT negotiating process to enable its conclusion in good time.

The answer to nuclear test explosions which have plagued the planet for decades is for the international community to adopt a verifiable, effective and comprehensive test-ban treaty, and we need more than rhetoric to achieve this. France, all nuclear-weapon States, indeed all participants in these negotiations, must combine to provide concrete results which will achieve this outcome. Quite obviously, given recent events, the need is pressing.

I would also like to bring a further development to the attention of the Conference. As a result of consultations between Heads of Government of South Pacific Forum countries, the Forum has issued a statement through the Prime Minister of Australia as the current Chair of the Forum which I would like to read to the Conference:

> "On behalf of South Pacific Forum Heads of Government, as current Chair of the Forum I condemn France's decision to resume nuclear testing in the South Pacific. Individual Forum Governments have already issued statements and protests that reflect the depth of their disappointment. The immediate widespread public antagonism to France's decision right across the South Pacific reflects the resentment felt by our peoples. Forum Heads of Government understand and share these feelings. On their behalf, I express our unequivocal opposition to France's decision.
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> The statements that have been issued by other nuclear Powers and by other countries in Asia and in other parts of the world are welcome. Forum leaders hope that France will hear and take note of what the world is saying.

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France has exercised a choice about the nature of its engagement in the South Pacific. Forum members had welcomed the improved relations between France and countries in the region. France's decision is a major setback to this trend, which was partly founded on its 1992 moratorium on nuclear testing in the South Pacific.

The wider implications of France's decision are also of deep concern to Forum Heads of Government. France's decision undermines the outcome of the recent nuclear non-proliferation Treaty Review and Extension Conference (NPTREC). The decision is particularly regrettable in the light of agreement reached at that Conference, including by France, that negotiations on a comprehensive test-ban treaty (CTBT) should be completed by no later than 1996 and that, pending such a treaty, nuclear-weapon States would exercise the utmost restraint. The South Pacific Forum remains strongly committed to a CTBT as a key step in global efforts to prevent nuclear proliferation and eventually eliminate nuclear weapons. It offers the prospect of ending testing completely - in the South Pacific as elsewhere. The Heads of Government have noted President Chirac's commitment that France would sign such a treaty. They will hold France to that commitment. Heads of Government also call on France to abide by the Protocols of the South Pacific Nuclear Free Zone Treaty.

I am in contact with my fellow Heads of Government about arrangements for a Forum delegation to convey to the French Government the depth of the Forum's concern. I envisage that the delegation would be led by the Australian Foreign Minister, Senator Evans".

The PRESIDENT (translated from Spanish): I thank the distinguished Ambassador for the statement and for the kind words he addressed to me.

Mr. BERGUÑO (Chile) (translated from Spanish): Mr. President, permit me to congratulate you on your appointment to preside over our discussions and to assure you of the full cooperation of the Chilean Mission. The friendship between our peoples and Governments and my personal esteem for your extensive diplomatic career strengthen the feeling of a shared vision that emerges from your important statement here today.

In the process of nuclear disarmament, in the development of a universal non-proliferation regime and in the expansion of nuclear-weapon-free zones we are moving within an ever wider horizon. The negotiations on a comprehensive nuclear-test-ban treaty are making headway, we have a mandate to begin negotiating an international instrument to ban fissionable materials produced for weapons purposes and the Non-Proliferation Treaty has been indefinitely extended and strengthened by a set of principles initially proposed by South Africa with contributions from other countries, including yours, Mr. President, that will undoubtedly contribute to the progress towards nuclear disarmament with effective international commitments and goals. We look forward to the entry into force of the treaty on the denuclearization of Africa and, in my own region the accession of Cuba to the Treaty of Tlatelolco opens a new and positive phase for the Agency for the Prohibition of Nuclear

(Mr. Berguño, Chile)

Weapons in Latin America and the Caribbean (OPANAL). My country has associated itself with deep conviction and in its own fashion with these trends, playing a substantial role in the updating of the Treaty of Tlatelolco, completing its negotiation of broad safeguards with the International Atomic Energy Agency (IAEA) and acceding to the Treaty on the Non-Proliferation of Nuclear Weapons. Within the picture that I have sketched there also appear, as clear retrograde steps the continued nuclear explosions by the People's Republic of China and the explosions just announced by the President of France. It is true that both nations have joined fully in the Non-Proliferation Treaty and have repeated that these tests, of strictly limited duration, do not in any way alter their political will to conclude a universal convention to ban future testing, as Ambassador Errera was at pains to emphasize. But let us be precise and recognize that the tests announced will serve to delay the signing of the agreement, that they constitute a bad example incompatible with the spirit of non-proliferation, and that they offend the deep feelings of the peoples of the South Pacific, who were not consulted and do not want these tests in their geographical or natural environment.

The Ministers of the countries members of the Permanent South Pacific Commission are holding permanent consultations on this matter. My Government has issued a public statement that I will ask to be circulated in the Conference on Disarmament.

Going beyond the immediate bounds of the controversy that separates us, we should concern ourselves with the different perspective with which we approach negotiations of such far-reaching importance as those on the future comprehensive nuclear-test-ban treaty. We need to mobilize in pursuit of a project for world coexistence that will inspire all the players in the system, we need to cross the threshold that leads from confrontation to monitoring and mutual trust. As you yourself have perceived, Mr. President, and as Ambassador Ho of the Republic of Korea has reiterated, the prevailing structure and methods of work of the Conference on Disarmament are not favourable to these lofty purposes but the Government of Chile will always be ready to move forward towards binding agreements that reduce to the utmost the nuclear risk and the risk of weapons of mass destruction by increasing the rhythm of the negotiations, as all speakers today have stressed, within the context of timetables and programmes of action that will make it impossible for us to elude responsibilities that have become unavoidable.

The PRESIDENT (translated from Spanish): I thank the representative of Chile for his statement and for his kind words to the Chair.

Mr. SINCLAIR (Canada): Mr. President, first of all let me join others in congratulating you, a NAFTA partner of Canada's, on your assumption of the presidency. I am certain we are in capable hands and that the Conference will make sustained progress under your leadership.

I have been instructed to address this plenary on the matter of nuclear testing. It was with regret that we learned of the decision of France to resume its nuclear testing programme. We recall the decision made only one

(Mr. Sinclair, Canada)

month ago at the NPT Review and Extension Conference to extend the NPT indefinitely. We also recall the commitment made by all States Parties to the Treaty to a set of Principles and Objectives for Nuclear Non-Proliferation and Disarmament. In these Principles and Objectives, France, along with the other nuclear-weapon States, reaffirmed its commitment to article VI of the NPT to pursue "in good faith negotiations on effective measures relating to nuclear disarmament". In these Principles and Objectives we agreed that we should complete our negotiations on a comprehensive nuclear-test-ban treaty "no later than 1996" and we all agreed that, pending the entry into force of the CTBT, the nuclear-weapon States should "exercise utmost restraint". In the short time since these historic events we have already had one nuclear test by the Chinese. We now have the French decision. Both are regrettable. But they show us that our work here is even more pressing. We must redouble our efforts to conclude the CTBT and we must begin work immediately on a cut-off convention. We have noted President Chirac's firm commitment to sign, without conditions, the comprehensive test-ban treaty in the fall of 1996. We must all work together to ensure that the historic commitments we undertook at the NPT Review and Extension Conference are fulfilled. For its part, Canada is committed to a new global reality: one without nuclear testing. We must speed our work toward that goal.

The PRESIDENT (translated from Spanish): I thank the representative of Canada for his statement and for his kind words to the Chair.

Mr. NORBERG (Sweden): Mr. President, first I would like to express my delegation's warm congratulations on your assumption of the presidency of this Conference. I also take this opportunity to join other colleagues in welcoming you among us and I wish you every success in your present duties.

I have asked for the floor to inform the plenary that on 1 June 1995 the Prime Minister of Sweden, Mr. Ingwar Carlsson, made a statement following the announcement by France that it will resume nuclear testing. I quote the statement of the Prime Minister:

> "Sweden deeply deplores the fact that France has decided to resume its nuclear testing. This we have also communicated directly to the French Government. The French decision is even more shocking since it comes only a month after the NPT Review and Extension Conference during which the nuclear-weapon States promised to exercise 'utmost restraint' with regard to further nuclear testing. The Swedish Government is anxious that the ongoing negotiations in Geneva on a comprehensive test-ban treaty not be negatively affected by the French decision. Our goal is for the treaty to be concluded at the latest in 1996. This treaty will, for all times, prohibit nuclear testing and all other nuclear explosions. I take it for granted that the United States and the Russian Federation will uphold their moratoria. It take note of the fact that France has declared that the tests that have now been decided upon shall cease in the spring of 1996. I trust that the negotiations in Geneva will be concluded as soon as possible and that France will sign the treaty".

The PRESIDENT (translated from Spanish): I thank the representative of Sweden for his statement and for the kind words he addressed to me.

Mr. SKOGMO (Norway): Mr. President, may I also welcome you to Geneva and congratulate you on your assumption of this high office? We feel confident that you will provide able leadership at a time when the Conference faces crucial challenges.

In a statement to the Conference on Disarmament just one week ago, State Secretary Siri Bjerke set forward the views of the Norwegian Government on current issues before the CD and related disarmament issues. On that occasion she too pointed to the successful conclusion of the NPT, which emphasized that the nuclear-weapon States should exercise utmost restraint in regard to nuclear tests. All nuclear-weapon States should refrain from further nuclear testing.

We are therefore greatly disappointed about the French decision to resume nuclear testing. I have been instructed to convey to you the reaction of the Norwegian Government after the announcement in Paris. Norway strongly deplores the French decision to resume nuclear testing. This decision represents a set-back in relation to the progress that has been made in disarmament efforts in recent years. It may put a strain on the ongoing negotiations on a comprehensive test-ban treaty in the Conference on Disarmament. We fear that the French decision will complicate efforts to prevent the proliferation of nuclear weapons and that it will not be conducive to the efforts to significantly reduce the role of nuclear weapons in the world community. The Norwegian Government therefore urges the French authorities to reverse their decision.

The PRESIDENT (translated from Spanish): I thank the representative of Norway for his statement and for his kind words to the Chair.

Mr. SWIFT (Ireland): Mr. President, to begin, may I offer you my double congratulations, first on your taking up the office of President of the Conference for the present period, and secondly, even if 33 years is not, unfortunately, a long period in disarmament terms, it still has certain reverberations in human terms, and I congratulate you for being back with us once again.

I have asked for the floor this morning to inform the Conference of a statement made by the Irish Deputy Prime Minister yesterday on the question of resumption of nuclear testing. I quote:

> "The Deputy Prime Minister and Minister for Foreign Affairs of Ireland today expressed his deep concern at the announcement that France intends to resume nuclear testing later this year. This decision will be viewed as a setback to the efforts to bring about an early and complete ban on nuclear testing.

(Mr. Swift, Ireland)

At the recent NPT Review and Extension Conference in New York, the nuclear Powers undertook to conclude a comprehensive test-ban treaty no later than 1996. The Conference called on the nuclear-weapon States, pending the entry into force of a CTBT, to exercise utmost restraint. In the light of the outcome of the Conference, it is particularly disappointing that two nuclear Powers, France and China, have decided to continue testing".

Lastly, I would like to associate my delegation with the views of the Korean Ambassador that the expansion of the membership of this Conference is now long overdue.

The PRESIDENT (translated from Spanish): I thank the representative of Ireland for his statement and for his kind words to the Chair.

Baron GUILLAUME (Belgium) (translated from French): Mr. President, first of all I would like to bid you welcome to this assembly and to say how pleased we are to see you presiding immediately over the outcome of our work. You have arrived at a crucial time for the Conference and you will need all your authority to ensure that it at last makes progress in fields other than the CTBT. You can be assured that you will receive full cooperation from my delegation.

I have asked for the floor this morning to express to you my Government's reaction to the announcement by President Chirac that France is resuming nuclear testing. Belgium is disappointed at the French decision to resume its nuclear tests in the Pacific. It understands the disappointment of those who, in the wake of the extension of the nuclear non-proliferation Treaty, were counting on the non-resumption of testing. Belgium takes note, however, of the statement by President Chirac of limiting the tests to eight, the last of which should take place at the latest next May, and of his undertaking to sign the future nuclear test-ban treaty in 1996.

The PRESIDENT (translated from Spanish): I thank the representative of Belgium for his statement and for the kind words he addressed to the Chair.

Mr. GOOSEN (South Africa): Mr. President, like previous speakers, I would like to take this opportunity to welcome you to Geneva. With the imminent arrival of our new Permanent Representative, my delegation will soon have an opportunity to congratulate you formally on the assumption of the presidency of the Conference. We would also like to use this opportunity to thank your predecessor, His Excellency Ambassador Don Nanjira of Kenya, for his contribution to the work of the Conference. It was a great pleasure to see a fellow African in the Chair.

I have asked for the floor in order to express the deep regret of the South African Government at the decision of the Government of France to resume its nuclear testing programme in the South Pacific. We have noted the reactions of States in that region and endorse their strong opposition to the

(Mr. Goosen, South Africa)

resumption of the French testing programme on the Moruroa Atoll. South Africa declares its solidarity with these countries in their opposition to the proposed tests.

The French decision is of particular concern coming as it does during sensitive negotiations for a comprehensive test-ban treaty, and so soon after the successful conclusion of the NPT Review and Extension Conference. At that Conference, the nuclear-weapon States undertook to exercise the utmost restraint in nuclear testing pending the entry into force of a CTBT. The international non-proliferation regime was strengthened and added to by the adoption without a vote of the Principles and Objectives for Nuclear Non-Proliferation and Disarmament on 9 May 1995. We would expect all States to honour both the letter and spirit of the Principles and Objectives which they negotiated and agreed to. France in particular played an active role in these negotiations.

The South African Government urges the Government of France to reconsider its decision and to retain its moratorium on testing until the entry into force of the CTBT. Similar views have already been conveyed directly to the Government of France at a meeting with the French Chargé d'affaires in Pretoria on 14 June 1995. It is my Government's intention to have further meetings with the Government of France both in Pretoria and in Paris to express our views on this matter.

South Africa's opposition to nuclear testing was also made clear to the People's Republic of China when it conducted a nuclear test explosion on 15 May 1995. We believe that this decision by the Government of France is a step backwards in the endeavour of the international community to ban nuclear testing. In addition to urging the Government of France to reconsider its decision, we also wish to call on the other nuclear-weapon States with moratoria to continue to "exercise utmost restraint".

The PRESIDENT: I thank the representative of South Africa for his statement and for his kind words to the Chair.

Mrs. BAUTA SOLES (Cuba) (translated from Spanish): Mr. President, it is an honour for me to congratulate you on taking over the presidency of the Conference. I am sure that we shall benefit from your valuable contributions, as we have in the past from the long list of illustrious predecessors from your country. I should also like to take this opportunity to thank the distinguished Ambassador of Kenya for his efforts when presiding over the Conference and to associate myself with previous speakers who have formally welcomed the ambassadors to the Conference on Disarmament.

I have asked for the floor this morning to make a general statement. The second part of the Conference on Disarmament began against the background of the decision adopted a few weeks ago in New York whereby the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons decided to extend that instrument indefinitely. Almost all the speakers this morning have made reference to that fact in one way or another. As you are aware, Cuba is not a party to the Treaty, which it feels does not cover its fundamental strategic

(Mrs. Bauta Solés, Cuba)

interests. This does not mean, however, that we have any difficulty with the idea of non-proliferation when viewed from a comprehensive, non-discriminatory approach and applied both vertically and horizontally. Those are requirements that we see as a sine qua non to the achievement of universality and the consolidation of the credibility of the instrument. For Cuba and for other countries represented here, non-proliferation must serve as a stimulus to nuclear disarmament, which is its fundamental objective, and not to sanctify the possession of nuclear weapons. For that reason, we subscribe this morning to the appeal made here last week by the distinguished Ambassador of Pakistan for the nuclear Powers to state in this body that the indefinite extension of the NPT is not synonymous for them with legitimization of the indefinite possession of such weapons.

The links that it has recently been sought to make, whereby the legitimate right of some countries to the peaceful use of nuclear energy would be held subject to their membership or otherwise of the Non-Proliferation Treaty, are unjustified and unacceptable. That is all the more so if we look at the public and warranted complaints by many States Parties to that Treaty regarding the way in which the relevant provisions of its article IV are applied to them.

Until very recently it was exceptional for any statement made here not to welcome the end of the cold war and to recognize the opportunities that offered for irreversible progress in the sphere of disarmament. Gone were the reasons that gave rise to the doctrine of nuclear deterrence and the circumstances seemed ripe for realizing the aspiration of so many of the world's great figures, including Don Alfonso Garciá Robles, of his country, to achieve an agreement on a comprehensive programme of disarmament.

Sadly, there is no denying that events have not followed the course that then seemed so clear to logic and to reason. Today we are seeing not only difficulty in ratifying even modest arms control agreements that were once put enthusiastically before this body, but also the continuation of efforts to improve the performance of nuclear weapons. In other words, it is largely the case that there is still not the political will necessary not only to conclude nuclear disarmament agreements but also to establish a subsidiary body of this Conference to deal with this issue. We cannot but regret this state of affairs, which is adversely affecting what all here agree are our priority negotiations, namely those aimed at the earliest possible conclusion of a comprehensive nuclear-test-ban treaty.

Permit us to refer briefly to our aspirations for the future treaty on a total end to testing. As far as we are concerned, this would be an essentially political instrument whereby States parties would commit themselves not to continue tests to improve nuclear weapons. It would be a first step on the right path towards nuclear disarmament and non-proliferation. The treaty's verification system must be appropriate and adequate and clearly cost-effective and the organization should be a discrete body responsible for seeing that the fundamental objectives of the agreement

(Mrs. Bauta Solés, Cuba)

are met. Having an over2ly elaborate verification system that was 100 per cent operational on the conclusion of our negotiations does not seem essential to us.

Others have said that they do not want the future treaty for the halting of testing to be a fresh partial test-ban treaty or to set new thresholds for testing so that, in the final result, horizontal proliferation continues. We share that opinion and that it is therefore of the utmost urgency that our negotiations move on to the question of the scope of the future treaty.

There is another very urgent topic in our discussions. It is the future negotiations on fissile material. Here, the first thing I want to do is to express my delegation's appreciation of the work done by Ambassador Shannon as special coordinator on this item. It is clear in our minds that negotiations on this item that did not aim at the gradual reduction of existing stockpiles would never be negotiations on nuclear disarmament, but would rather tend to perpetuate the prevailing unequal and risky situation. It would be in the common interest for the Committee to deal with these matters to begin work. We are of the view, however, that it would not be beneficial in the long term for the Conference to begin consideration of this issue without there also being functioning subsidiary bodies on other items to which many delegations attach importance, namely negative security assurances and the prevention of an arms race in outer space. Early agreement in this regard would not only promote the trust necessary to any negotiations and dispel any doubts there might be as to the future aspirations concerning the items of negative security assurances and the arms race in outer space, but would also break the deadlock we have been in for the past few weeks, which cannot be allowed to continue.

I purposely exclude from the remarks I have just made on the question of establishing a subsidiary body on the topic of transparency in armaments. As we see it, the repeat of the context in which this item has been dealt with for the past two years holds out no hope of progress at all. To avoid a repetition of the scenario we have already lived through, which was of no benefit whatever in advancing the item, we need joint agreement on the mandate of a new ad hoc committee. We are grateful for the consultations on the future of the mandate on this item that were held at the beginning of the current session by Ambassador Hoffmann of Germany, to whom we made known our substantive positions on this issue. We are therefore in favour of the earliest possible appointment of a special coordinator for this item, so that consultations can continue until a satisfactory outcome is reached.

In our opinion, the decision must also be taken to establish committees and begin work in the areas I mentioned earlier and we must decide to appoint special coordinators on the questions of the agenda, the functioning of the Conference and enlargement, so that consultations can be held until agreement is reached on these matters.

Before concluding, I should like to dwell a little on the question of the expansion of the Conference on Disarmament and to restate the national position that is already known to this body. We remain convinced that the

(Mrs. Bauta Solés, Cuba)

best proposal yet put before us was that made a while ago by Ambassador O'Sullivan of Australia. That was a just, fair, balanced and equitable and sensible proposal concerning the expansion of the membership of the Conference on Disarmament because it does not establish unsuitable precedents in the form of special treatment or conditions for any candidate and because it provides a comprehensive response to the aspirations of a large number of observer States that perhaps have already had too long a wait for a decision from the Conference. These are the reasons that prevent us from accepting a case-by-case approach to resolving this matter.

The PRESIDENT (translated from Spanish): I thank the representative of Cuba for her statement and for her kind words to me.

Mr. LEDOGAR (United States of America): Mr. President, may I join others in expressing to you welcome and congratulations? You spoke of your double honour of assuming the presidency of the Conference on Disarmament and of representing Mexico here for the first time. I and my delegation extend to you double salutations. The warm relations between our two neighbouring nations are well known.

The United States also regrets that France intends to resume nuclear testing. The United States continues to urge all the nuclear Powers, including France, to join in the global moratorium as we work to complete a comprehensive test-ban treaty at the earliest possible time. In this regard, we take particular note of President Chirac's strong commitment to end the French testing no later than May 1996 and to sign a comprehensive test-ban treaty no later than the fall of 1996. We will continue to work with France and all other States participating in the comprehensive test-ban negotiations to ensure that a treaty is ready for signature as early as possible.

These remarks are drawn from a 13 June statement made by the Press Secretary of the White House. I will request that the text of that statement be made a CD document as was our statement last month in reaction to the most recent Chinese nuclear test.

The PRESIDENT (translated from Spanish): I thank the representative of the United States of America for his statement and for his kind words to the Chair.

Mr. BENJELLOUN-TOUIMI (Morocco) (translated from French): Mr. President, first of all, I would like to welcome you and the other new ambassadors to the Conference and to congratulate you on your assumption of the presidency. We are certainly at a crucial point in the work of the Conference and we shall need your experience and wisdom. I would also like to thank the Ambassador of Kenya, Mr. Don Nanjira, for the work that he did as President.

I have asked for the floor after listening carefully to all the goals stated by the delegations that have spoken today. Everybody, including you yourself, Sir, has emphasized the work awaiting us and the fact that the international community expects a lot of this body and you made a number of

(Mr. Benjelloun-Touimi, Morocco)

very interesting suggestions. For my part, I would like to be a bit more down to earth, if I might put it that way, and to say that, while I believe traditions are worth respecting and we have every confidence in our regional coordinators who meet with you once a week, I nevertheless feel that, since the Conference has not yet done much and there are real logjams, all of us around this table are aware that there are problems and that we need very serious consultations on the matter. I think that, if we were to go on as we are every week, it would be very surprising if by the autumn we had accomplished anything at all.

Permit me to make two suggestions to you. I think I have mentioned them already. They are that we either hold an informal meeting after a formal plenary to try to discuss this issue or set up under your chairmanship a group that would, of course, be open to all in order to discuss these matters and try to find some way to unfreeze the situation, to reinstate the working groups, to be able to appoint special coordinators and to get the Conference working on the objectives which we hold dear. I personally do not think that if we continue to make fine, pre-prepared speeches about what we expect of our work we will produce any result between now and the end of the session. So, I appeal to you to try to find what may not be an orthodox or conventional solution for, after all, we are not at a conventional or normal point in the work of our Conference.

The PRESIDENT (translated from French): I thank the representative of Morocco for his kind words in my regard and for his suggestions. Rest assured that I am working on them.

Mr. OLADEJI (Nigeria): Mr. President, please allow me on behalf of my Chargé d'affaires to convey the warm compliments of the Nigerian delegation to you on your assumption of the Chair and also to express his apologies for his absence. I am sure on his return he will express formal compliments to you in a much better way.

I would like to seek the indulgence of my colleagues in the Group of 21 and inform them that there is a need for us to meet for a short time after this plenary, if this is agreeable to them. We also thank the Ambassador of Morocco for his previous suggestion and want to say that we already have that in mind for our Group.

The PRESIDENT (translated from Spanish): I thank the representative of Nigeria for his statement and for his kind words to the Chair.

Mr. NASSERI (Iran): Mr. President, I wish to express my deep pleasure to see a distinguished personality from Mexico conducting our work. I do assure you, Sir, of the fullest cooperation of my delegation.

I am taking the floor simply to reflect on some of the statements that have been made today with regard to nuclear testing and also I will have a brief remark with regard to the suggestion that has been made by the distinguished Ambassador of Morocco.

(Mr. Nasseri, Iran)

On the first matter, on the question of nuclear testing, I wish to say, first, that the understanding and agreement at the outcome of the NPT Conference was that, following the indefinite extension of the Treaty, all member States would pursue with determination systematic efforts towards nuclear disarmament. I believe it is absolutely clear that attempts at nuclear testing run contrary to the basic objective of the indefinite extension of the Nuclear Non-Proliferation Treaty.

Second, I recall that there existed, throughout the time of the preparations, as well as at the Conference itself, two distinctively different views. One which argued that only through an indefinite extension of the Treaty could there be a climate of confidence which would lead, and be conducive, to faithful pursuance of the goal of disarmament. And there was, of course, another view, which maintained throughout that, with an indefinite extension of the Treaty, the nuclear-weapon States would enjoy much more freedom in following their own agenda on the basis of their own objectives. The fact that attempts at nuclear testing are being made after the NPT Conference, and not so much before it, signifies, I believe clearly, that it was not only the moratorium that kept nuclear tests at bay but that the concerns about the outcome of the NPT Conference also served as a very essential deterrence to nuclear testing.

I note that most of the statements made today in protest of the announcement made by France have been coming from States which were amongst the principal and most active proponents of an indefinite extension of the NPT. This group of States believed that the independent extension of the Treaty was the gate to heaven. Many non-nuclear-weapon States did not share that optimism. They were, I must say, not disillusioned. It is not surprising, therefore, that we find today this second group restrained and silent on this issue.

As regards the suggestion that has been made today by the Ambassador of Morocco, I wish to state that I find it very useful and that we wish to express our support for it.

The PRESIDENT (translated from Spanish): I thank the representative of the Islamic Republic of Iran for his statement and for his kind words to me.

Mr. ERRERA (France) (translated from French): Thank you, Mr. President, for giving me the floor a second time. I have listened most attentively to our colleagues' comments. It is naturally not my intention to respond to each and every one of them. I would simply like, if you will allow, to share a few brief thoughts which come to mind; they are three in number.

First, some people have spoken of a breach of trust, or a betrayal of trust, after the results of the NPT Review and Extension Conference. Since that is a conference which we took very seriously, I do not think, as I said just now, but I would like to make the point again, I do not think that things can be put in those terms. At the NPT Review and Extension Conference, we subscribed to principles and objectives which we negotiated in a spirit of seriousness, in a spirit of responsibility, in a climate of trust and

(Mr. Errera, France)

transparency, often with participants many of whom are in this room today and some of whom have been kind enough to recognize the active role that we played there. We negotiated these principles sincerely, without ever - and I emphasize the point - without ever concealing what our imperatives were, what our limits were, what our constraints were, first and foremost as regards the question of tests. Those who were present at the negotiations there will need no reminding of that: nothing was hidden at the time, and if some wording was adopted and some not, it was precisely because everyone was aware that there was uncertainty regarding the resumption of our tests. I would like to emphasize that we take these principles seriously, we respect them and we will respect them, on the question of tests and on the other questions, whether it be a matter of substance, of the timetable for the negotiation of a CTBT or, more generally, of the discharge of our non-proliferation and disarmament responsibilities.

The second point follows on from the first and relates to the link that several of our colleagues have made between the announcement made by the President of the French Republic and the negotiation of a CTBT. I said just now that for us there was no link, and that we stated on the very first day of the negotiations a year and a half ago, between either the continuation or the resumption of nuclear tests and the negotiations. If there really has to be a link, then I would say that there is a reverse link today. As my authorities at the highest level of the State have said, as I myself emphasized this morning, the announcement by the President of the Republic two days ago contains not one decision, but two. The first is the announcement of an ultimate series of tests. The second is that France has undertaken to sign before the end of 1996 a comprehensive test-ban treaty. The point emphasized on several occasions by the French Government, and by myself this morning, is that this second important decision on the commitment to sign a CTBT would not have been possible without the first.

Thirdly and lastly, I would like to remind you as regards the concerns voiced here this morning that we have listened to them carefully, that we tried to the fullest extent possible and in advance to take account of them and meet them, which is why we have in this matter done our level best to be transparent to international public opinion - transparent in the way the decision was announced, transparent in announcing in advance the number of our tests and the deadline for them and lastly, transparent in the proposal made publicly by the President of the Republic two days ago to the effect that, in the context of the completion of our tests, arrangements could be made for all the eminent scientists with knowledge in the field who so wished to come and see on the spot that there are no consequences for the environment in these tests.

That is what I wanted briefly to say in order to reassure the Conference that we shall continue to follow this course, we shall continue to follow the course of discharging our international responsibilities, we shall continue to follow the course of transparency with our partners, we shall continue to participate actively in the negotiating of a comprehensive test-ban treaty so that next year we end up with a good treaty, that is to say, a treaty acceptable to everyone.

The PRESIDENT (translated from Spanish): No one else has asked for the floor.

The secretariat has circulated a timetable of meetings of the Conference and its subsidiary bodies for next week. The timetable was drawn up in consultation with the Chairman of the Ad Hoc Committee on a Nuclear Test Ban. As usual, the timetable is merely indicative and can be changed if necessary. If I hear no objection, I shall take it that the Conference adopts the timetable, with the reservation that it is probable that we shall be able to take up the very timely suggestion of the Ambassador of Morocco and that the President will convene consultations, the framework and details for which have yet to be determined.

It was so decided.

I have no other business and therefore I shall adjourn this plenary meeting. The next plenary meeting of the Conference on Disarmament will be held on 22 June, at 10 a.m.

The meeting rose at 12.05 p.m.

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CONFERENCE ON DISARMAMENT

CD/PV.709
22 June 1995

ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND NINTH PLENARY MEETING

held at the Palais des Nations, Geneva,
on Thursday, 22 June 1995, at 10 a.m.

President: Mr. Antonio de Icaza (Mexico)

GE.95-62048 (E)

The PRESIDENT (translated from Spanish): I declare open the 709th plenary meeting of the Conference on Disarmament.

I have on the list of speakers for today the representatives of Austria, Hungary, Spain, Switzerland and Mexico. Once the list has been completed, I propose to put before you for decision a request by Swaziland to participate in our work.

Mr. LANG (Austria): Mr. President, let me, first of all, welcome you as well as the other new Ambassadors to the CD and sincerely congratulate you on the assumption of the presidency of this Conference. Allow me also to commend your predecessors' efforts in guiding this body smoothly through historic and sometimes tense moments and in doing so to extend my Government's best wishes to you and your successors that the negotiations within the CD this year achieve the progress we all strive for and the international community expects from us. Moreover, I should like to express the sincere appreciation my delegation feels for the most valuable assistance that is given to our work here by the secretariat under the competent and effective leadership of Mr. Vladimir Petrovsky.

If we take a look back on the past few months, we become aware of the fact that weapons of mass destruction have been first and foremost at the very centre of world interest. Let me briefly recall two examples: first, the Review and Extension Conference of the nuclear non-proliferation Treaty in New York; second, the first part of this year's session of this Conference on Disarmament, during which the negotiations concerning the comprehensive nuclear-test-ban treaty and the setting up of the Ad Hoc Committee on fissile material cut-off dominated the agenda. Austria fully shares the top priority given to questions of nuclear non-proliferation in general and the CTBT negotiations in particular. Austria also firmly endorses the target set by general consensus of the international community for the conclusion of these negotiations at the earliest possible moment before the end of 1996. The Lower Chamber of the Austrian Parliament has recently passed a resolution to that effect which has been duly taken note of by the Austrian Government. My delegation therefore wishes to express its disappointment and concern over the fact that one of the nuclear-weapon States has conducted a further nuclear weapon test recently and that another nuclear-weapon State has publicly announced its intention to give up its test moratorium later this year, albeit with the declared objective of then being able to sign the CTBT in 1996. Austria hopes that these events will not cause any delay in the ongoing negotiations and urges all nuclear-weapon States to exercise the maximum restraint with respect to nuclear-weapon tests they have committed themselves to at the NPT Review and Extension Conference in New York.

Coming to the main subject of my intervention today, my delegation notes with regret that very important items on the agenda of the CD have not yet been treated during this year's session: it is a novelty, and a very disappointing one, that until now the lack of consensus has not allowed to re-establish all of last year's ad hoc committees, amongst which Austria

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attaches special importance to the Committee dealing with transparency in armaments. It so happens that substantive work on questions of conventional armament has only been done within the United Nations Disarmament Commission.

It is fully justified to give the latent threat that weapons of mass destruction pose to international peace and security a high priority. But this high attention shall not conceal the following: no international war since 1945 has been conducted by nuclear, chemical nor biological weapons. Since 1945, however, well over 150 conflicts have been fought with conventional weapons that caused over 20 million deaths, amongst which a horrifyingly high rate of civilians. This has been reason enough for the United Nations Secretary-General to recall "the need to deal squarely with the mounting toll of death, destruction and human suffering inflicted by the use of conventional weapons in conflicts around the world". As regards such weapons, there already exist legal restraints on the use of some of them, as enshrined for example in the 1980 Convention on Certain Conventional Weapons. These restraints imposed for humanitarian reasons do, however, not affect the security situation. Thus, when considering restraints on conventional weapons, special attention has to be paid to their transboundary movement, and in particular towards developing countries: in 1993, 65 per cent of the global value of arms transfer was due to agreements with developing countries. Although one has to admit that after the end of the cold war such transfer agreements dropped from 70 billion dollars in 1987 to 31 billion dollars in 1993, it cannot be denied that regional conflicts throughout the world continue to fuel trade in conventional arms.

The facts that I have just stated underscore the urgent necessity for the international community to seek remedies to this situation. The United Nations Register of Conventional Arms, which has already been in operation for two years now, has - despite its shortcomings - served as an appropriate starting point. As the most important shortcomings of the Register which could easily be improved we should like to mention the following: in 1994, for example, only about 90 States reported to the Register, which is only approximately 50 per cent of all States, even if a relatively high percentage of the most important arms exporting and arms importing States are included therein; the Register itself restricts reporting to only seven main categories of conventional weapons; background information regarding the military holdings and procurement through national production is only recorded and made available for consultation by United Nations member States at their request. Therefore: firstly, the lack of universality of the Register should be remedied and the number of States reporting to the Register should be further increased; the aim of the Register to contribute to world-wide confidence and security among States could thus be enhanced significantly. Secondly, at present the information provided to the Register is not sufficient nor representative of the real threat to peace posed by the military potential, especially with regard to other categories of conventional weapons. Austria, as a consequence, would be in favour of giving further in-depth consideration to the question whether to widen the scope of the Register by including those conventional weapons that cause, for example,

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unnecessary suffering or have indiscriminate effects. Thirdly and finally, only a minimum degree of openness presently applies to the above-mentioned background information on holdings, a fact which disadvantages countries not having an appropriate arms production in their territory or under their jurisdiction and control. Information on military holdings and procurement should therefore also be included in the yearly reports of United Nations member States to the Register. We urge all member States to report to the Register, to provide all appropriate information concerning the present seven categories of conventional weapons and to provide useful background information on military holdings and procurement through national production. As a next step we propose that the scope of the Register be widened to other categories of conventional weapons, and we could imagine that in the long run it would be possible to transform the Register into a full "military capabilities" register.

The points that I have just touched upon were the subject of very fruitful and intensive discussions last year within the CD Ad Hoc Committee on Transparency in Armaments. Under the very able chairmanship of our distinguished colleague and friend, the Ambassador of Hungary, György Boytha, to whom we unfortunately have to bid farewell already, this Committee has identified a whole range of very pertinent issues which are, beyond any doubt, worthy of further elaboration. Among these issues - apart from those referring to the Register of Conventional Arms - I should like to mention proposals concerning guidelines for international transfers of conventional arms, openness with regard to the size and organization of armed forces and the declaration or closure or conversion of military production facilities. In this context I do not hesitate to thank the distinguished delegation of Romania for their working paper which contains the proposal of a code of conduct for international transfers of conventional arms, as well as Ireland which already at the forty-seventh session of the United Nations General Assembly proposed such a code.

I shall be amiss if I do not mention the efforts undertaken on a regional level by the Organization for Security and Cooperation in Europe. Its "Principles governing conventional arms transfers" adopted by the CSCE Forum for Security Cooperation (Vienna) in 1993 on the one hand and the confidence- and security-building measures contained in the "Vienna Document" as revised at the Budapest Summit last autumn on the other hand go beyond what has been globally achieved and could serve as an example of well-founded transparency on a global as well as on a regional level. At a still lower and narrower level, the "Common criteria for EEC Member States' policy on arms exports to third countries" closely reflect the concerns in respect of recipient countries already expressed in the aforementioned CSCE text. In general, my country holds the view that the establishment of regional registers would not only correspond to the new emphasis being put by the United Nations on the role to be played by regional arrangements, but also be a proposal which deserves serious consideration.

I should like to dwell briefly on a proposal made by the Commission on Global Governance in its 1995 report on "Our Global Neighbourhood". This commission suggested the conclusion of an international convention on the

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curtailment of the arms trade which "should, among other things, make the reporting requirements under the existing Arms Register mandatory". According to the view of Austria, such a convention could be built upon the following elements:

> Firstly, a code of conduct to be signed by as many arms-producing, arms-exporting and arms-importing countries as possible and which, after a 10-year trial period, would be transformed into a formal treaty;
>
> Secondly, the entitlement of exporting countries to transfer conventional arms only on the basis of a "certificate" of the importing country that it will use those arms only for purposes of self-defence (Article 51 of the Charter), or for purposes of peace-keeping (under a global or regional mandate) and that those arms will be used in full conformity with international humanitarian law. These "certificates" would constitute binding unilateral commitments under international law;
>
> Thirdly, a central control body would be needed to administer and supervise the above-mentioned code and its instruments. Regional control-bodies - a role to be performed by regional arrangements already existing such as OAU, OAS, OSCE - would be needed for compliance-control;
>
> Fourthly, an additional element could be a formal link between a country's gross national product and its military expenditure. This would entail the duty that its military expenditures should not be higher than a certain percentage of its gross national product.

Subsequently, such a convention on the curtailment of arms trade could be developed into a full-fledged regime: on the one hand, its scope could be broadened to include military holdings and on-site inspections after a review of its operation has taken place; on the other hand, the Convention on Certain Conventional Weapons (with all its Protocols) could be linked to or incorporated into this broader convention. This regime would then deal not only with the quantitative aspects of arms control but also with its qualitative humanitarian dimension, namely prohibitions and restrictions imposed because of the extremely injurious consequences of certain weapons' use.

Where shall we go from here? Each and every one of the aforementioned proposals would constitute a further legal restraint on conventional arms "diffusion", if it were possible to achieve a political consensus on them which then could be transformed in a step-wise manner into a legally binding instrument. The appropriate institutional framework for the forging of such consensus and elaboration of the legal instrument is, according to our conviction, the Conference on Disarmament and its Ad Hoc Committee on Transparency in Armaments. We therefore strongly support every effort to re-establish immediately this so important Committee, bearing in mind how much time has already been lost since the beginning of this year's CD session.

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I am closing to a close. I should also take this opportunity to reiterate the remarks made before this Conference by the Secretary-General of the Austrian Ministry for Foreign Affairs earlier this year concerning the absence of any progress whatsoever as to the enlargement of the CD. My country judges that it is high time the CD comply with General Assembly resolution 49/77 B and take, without further delay, appropriate steps to increase the number of CD members to at least 60. By doing so, the Conference would better reflect the political realities after the end of the cold war.

The PRESIDENT (translated from Spanish): I thank the representative of Austria for his statement and for his kind words to the Chair.

Mr. BOYTHA (Hungary): Mr. President, to begin with, I should like to warmly welcome you in your capacity as head of the delegation of Mexico to the Conference on Disarmament, where your country has always played an important role. You had to start your work by assuming the presidency of this body and we could already witness your skill and sense of humour in performing your difficult task: congratulations! You are facing high expectations, at a crucial stage of this year's session, to overcome the present procedural deadlock and to exploit the potential for further progress in our work resulting from the successful conclusion of the 1995 NPT Review and Extension Conference. I am confident that under your guidance the CD will be able to meet the challenges we have been considering since quite a long time. I would also like to express my appreciation to your predecessor, Ambassador Don Nanjira of Kenya, for his efforts to master our lasting problems.

The Conference on Disarmament has never conducted its work in a vacuum. We are responsible to act on behalf of the international community as a whole in finding solutions to acute problems within our competence and also to translate into practical terms the results achieved during relevant deliberations in other international fora. This is especially true with regard to the near-universal nuclear non-proliferation Treaty and its last Review and Extension Conference. The Government of Hungary is deeply satisfied with the results and historic achievements of this major international event, which in our assessment help to preserve the momentum of the profound and favourable changes in the global strategic situation after the end of the cold war. The Conference not only succeeded in extending the Treaty indefinitely, but also called for more accountable and more effective implementation of it. As a result, the role of the NPT as the cornerstone of international efforts to invigorate nuclear non-proliferation and to promote disarmament has been strengthened and revitalized. The set of concrete measures stipulated in the document entitled "Principles and Objectives" and the improved review process will significantly facilitate the full realization of the provisions of the Treaty.

In the light of the decisions of over 150 States Parties having attended the NPT Review and Extension Conference in New York, it is obvious that the most important task ahead of us consists in completing our negotiations on a

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universal and internationally as well as effectively verifiable comprehensive nuclear-test-ban treaty by no later than 1996. Hungary fully subscribes to this objective and sees its attainment as realistic and fully within the possibilities of this body. The well-structured discussion taking place under the guidance of the Chairman of the NTB Ad Hoc Committee, Ambassador Ludwik Dembinski of Poland, and the chairmen of the two Working Groups, Ambassador Lars Norberg of Sweden and Ambassador Jaap Ramaker of the Netherlands, bodes well in this direction. Having said this, we also realize that the necessary and mutually acceptable compromises are not always easy to find. They are, however, inevitable if we are to succeed. We may need strengthened political will, prospective insight and further initiatives aimed at speeding up the course of negotiations. This applies first of all to such issues which are generally considered as focal ones from the point of view of the architecture of the treaty. Allow me to sum up this delegation's views on some of them.

Any early agreement on the scope of the CTBT is likely to facilitate progress on other contentious issues as well. The relevant treaty provisions should not allow for nuclear explosions on the pretext of peaceful purposes or exceptional circumstances; they should avoid, however, extending the ban to activities which are difficult or impossible to verify. As a successful attempt to strike balance between these requirements and to move the positions towards the middle, we appreciate the proposal by the delegation of Australia, submitted in Working Paper 222. I would like to take this opportunity to put on record my delegation's support for it.

Efforts to bridge the gap between the positions on the entry into force have also proved to be elusive until now. This delegation advocates a simple numerical formula, with the understanding that diplomatic efforts, undertaken in parallel with the signature, shall be instrumental to ensure the almost simultaneous adherence of all relevant countries whose absence would render the treaty meaningless. The consultations of the Powers concerned could be well served and formalized by a waiver conference as proposed by the delegation of the United States. For this reason, the Hungarian delegation considers this initiative as a useful one and a good basis for further work to finalize the article on entry into force.

The last CTBT-related issue I would like to elaborate on is the question of the funding of the International Monitoring System (IMS). We consider the two approaches, namely to finance the establishment and the operation of the IMS facilities entirely either through the budget of the Organization or by the host countries as extreme solutions, both of them ignoring the difference in the burden-sharing capabilities of the future States parties. Putting all the burden of funding the IMS on the Organization would raise its costs and increase the contribution of the States parties. In this context we welcome the readiness of some of the major countries hosting IMS facilities to cover the related costs; the system of national funding, however, should not be expanded to the extreme. On the basis of mutually-agreed criteria for economic potential, a great number of countries hosting the facilities might

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be rendered beneficiaries of international funding. Such a combined pattern would reduce the budget of the Organization without putting excessive burden on those States which, due to their geographic situation, are expected to host a great number of stations and other facilities in the interest of the international community.

As a result of intensive and fruitful consultations and in the spirit of compromise, last March this body was able to reach agreement on the establishment and mandate of an Ad Hoc Committee to negotiate a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. The Hungarian delegation considers this issue closely related to the cause of the CTBT and warmly welcomes the establishment of the new Committee. We commend the efforts of Ambassador Shannon of Canada, which made it possible to create the organizational framework for the future work. It is my Government's firm belief that the cut-off of the production of all the weapon-grade fissile materials, such as plutonium or highly enriched uranium for weapons and other explosive devices, which has been discussed for long years, should be achieved soon. We therefore, urge the Conference on Disarmament to solve the outstanding issues, mainly of procedural nature, impeding the immediate commencement of the negotiations on a "cut-off" as required by the programme of action adopted at the NPT Extension and Review Conference.

Besides the most important nuclear issues I have touched upon, realities on a worldwide scale are increasingly urging us not to lose sight of the timely problems relating to conventional weapons, either. The delegation of Hungary attaches great importance to the re-establishment of the Ad Hoc Committee on Transparency in Armaments, the only Committee we brought about so far with respect to weapons permanently claiming enormous death tolls all over our globe. I cannot but thank the distinguished Ambassador of Austria for his well-structured and detailed argumentation in favour of pursuing our efforts to have this committee re-established. The continuation of a substantive discussion fits into the general trend of multilateral diplomacy aiming at the prevention of armed conflicts as a priority of the security agenda. The CD has been dealing with this complex agenda item in a special committee since 1992 only. This is but a short initial phase as compared to the enormous challenges raised by the unsettled armed conflicts, still rampant in many regions and erupting in ever new places. Our possibilities are far from being exhausted and we are obliged to continue our work in pursuit of enhancing confidence and easing tensions. The negotiations we had last year on the basis of a mutually agreed and comprehensive mandate, as well as the relevant report of the Ad Hoc Committee on TIA, brought to the surface a great number of pertinent issues calling for further elaboration.

Our far-reaching responsibility towards the international community, illustrated by the few items I just singled out of the wide-ranging agenda of the CD, clearly calls for adequate representation of that community in our work. The solution of problems relating to the membership of the CD should not be further delayed. We hope that the vacant place of the former Czechoslovakia will be filled during this session by accepting the only

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application for it, submitted to the CD by Slovakia in January 1993 and which has not been opposed by any member State but rather supported by a great number of delegations as well as by two regional groups of the Conference. At the same time, the Special Coordinator for the expansion of membership, to be appointed hopefully soon, might try to find new approaches to resolving the problem of membership without being influenced by any past proposal which failed in reaching adoption under the given circumstances. Each member of the CD can be expected to ponder over new solutions which may have a chance to be accepted by consensus. I hope for collective imagination that might help the future Special Coordinator in catalysing a proper solution.

Since it is most probably the last opportunity for me to have the honour to address this sole multilateral negotiating body on disarmament, may I express sincere words of thanks and gratitude to my colleagues for their help and cooperation over the years during which I had the honour to represent my Government here. May I also pay tribute to our distinguished Secretary-General, Mr. Vladimir Petrovsky, and his deputy, Mr. Abdelkader Bensmail, as well as other members of the secretariat whose devoted support and expertise greatly helped me to perform the duties of the Chairman of the TIA Ad Hoc Committee last year. I had in my work in the Conference great satisfaction and I am convinced that this major international forum has the potential to meet the non-proliferation and disarmament challenges of our age.

The PRESIDENT (translated from Spanish): I thank the representative of Hungary for his statement and his kind words to the Chair and should like to express to him my personal regret at his coming departure and also my best wishes.

Before giving the floor to the next speaker, I should like to announce that we have among us Ambassador Ralph Earle, Deputy Director of the United States Arms Control and Disarmament Agency. Welcome, Sir.

Mr. MARTINEZ MORCILLO (Spain) (translated from Spanish): Mr. President, first of all, I should like to say how pleased my delegation is to see you presiding over the work of the Conference on Disarmament. With our pleasure go our warm congratulations on your assumption of this task. Your abilities as a negotiator and long-standing specialist in disarmament problems are known to us all. Furthermore, your presence at the head of the Conference has the special meaning that derives from your country's tradition of active participation in multilateral diplomatic life. All of this justifies our highest expectations for the success of your action as President of the Conference.

It is, we believe, no coincidence that the common point in the statements so far made in the plenary during this second part of the session has been the taking of the results of the Conference on the nuclear non-proliferation Treaty as the starting point and indeed core of our deliberations. My delegation agrees with this approach because it too thinks that it is

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inescapable, not only because of the significance of decisions adopted in New York at the end of the Conference, but also and above all because those decisions have outlined the framework for future negotiations on disarmament. The importance of the indefinite extension of the nuclear non-proliferation Treaty for international affairs lies both in the consolidation through it of a structure for the prevention of nuclear proliferation and in the circumstances in which the decision was adopted. In an ideal description of the consequences of the indefinite extension of the NPT in the global context of the arms control and disarmament process, the fact that would stand out would be that the attention should henceforward be focused on exploring more thoroughly other areas of this process such as the reduction of nuclear weapons, the prompt entry into force of the Chemical Weapons Convention and the strengthening of the Biological Weapons Convention through a verification system. All without forgetting the work undertaken by this Conference with regard to a comprehensive test-ban treaty and the treaty on ending the production of fissile material for military purposes. These areas taken together definitely constitute the present framework for the efforts to achieve the elimination of weapons of mass destruction.

As I said earlier, perhaps one of the greatest achievements of the NPT Conference was that the decision to extend the Treaty was adopted by consensus and not by a majority, however large. The extension of the system thus has the support of the entire international community. The circumstances which led to the adoption of these decisions also resulted in the setting of a series of objectives for the future as regards non-proliferation and nuclear disarmament. Undoubtedly the most important is the strengthening of the Treaty's role as the instrument for preventing proliferation of nuclear weapons on a global scale. Universality of the Treaty is consequently an urgent priority for the international community, which must pursue the early achievement of this objective through joint action.

Together with this, the references to the strengthening of the review process for the Treaty and the objective and principles for disarmament and nuclear non-proliferation shape and complement the decision to extend the NPT indefinitely. We refer especially to the backing for the activities of IAEA and the application of its safeguards system, to the support for the creation of denuclearized zones and to the importance attached to technology exchange and to the transparency of export controls, which, while preventing proliferation, must in no way hamper the development of the peaceful use of atomic energy. Special reference must be made in this context to the questions relating to security assurances and nuclear disarmament, two issues of direct relevance to the matters dealt with by this Conference. Especially noteworthy are the recent decisions by the nuclear countries concerning the granting of both positive and negative security assurances and, in particular, the action by the United Nations Security Council, initiatives which could be broadened and deepened in the future.

Again within the framework of the aforementioned principles and objectives, special mention must be made, in the context of article VI of the NPT, to the references to the conclusion of a comprehensive test-ban treaty no

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later than 1996 and to the treaty to end the production of fissile material for military purposes. My delegation has been following very closely the progress of the negotiations in the Conference on the first of these matters. That is why, in view of recent international events in this sphere, I would like to reiterate the appeal to the nuclear Powers to act with utmost restraint in the matter of nuclear testing. Likewise, my delegation attaches great importance to the creation of an ad hoc committee to study the drafting of a treaty on the cessation of fissile-matter production. Within the limitations inherent in its presence in the Conference as an observer, the Spanish delegation will continue to follow attentively the nuclear questions I have mentioned.

My delegation considers that the negotiation of a nuclear test-ban treaty turns around two questions that constitute the basis of the exercise: on the one hand, the definition of the scope of the treaty, and on the other, the realization of a verification system. Relative to them, the rest of the questions under negotiation appear de facto to be instrumental both in nature and in purpose. Consequently, my delegation believes that Spain's interest in the work of the Conference on Disarmament regarding a nuclear test-ban treaty is given full expression by Spain's active participation in the meetings of the Ad Hoc Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events. Spain has made its facilities and experience in seismology fully available to the GSETT-3 experiment, so that it is contributing to the test on all the latter's three levels. Spain is indeed, participating in the alpha, beta and gamma networks of the intended system.

It is beyond doubt that the participation of our network of seismological stations in the experiment has a number of purely scientific implications and consequences that cannot be disregarded. For Spain, participation in the experiment has led to our establishing links for scientific cooperation at a strictly bilateral level that could in some cases form the basis for fruitful and intensive collaboration in the future. It is no less true, however, that participation in the test by countries that are not full members of the Conference on Disarmament creates an extremely paradoxical situation, one I believe to be unique in international life. I am referring to the fact that such countries find themselves participating in and contributing financially to something in which they cannot participate when the time comes to take political decisions. Irrespective of the significance this may have for the future decisions on the financing of the treaty's international verification system, which will logically have to be along the lines of international financing through the Organization, at present it shows the increasingly paradoxical nature of the negotiations in the Conference on Disarmament, given the Conference's present membership.

This leads us to consider one of those issues that are already overshadowing the negotiating process in the Conference on Disarmament. The absence of decision on the issue of expansion of the Conference on Disarmament is going to have ever more numerous wide-ranging consequences for the future of this body. The recent adoption of a resolution by consensus by the

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United Nations General Assembly highlights still further the present paradoxes and the need for an urgent solution to this issue, inasmuch as principles determining the agreed bases on which this Conference can and should find a rapid solution already exist. This solution entails taking into account the work already done by the Conference and updating it in the light of prevailing circumstances. My delegation very much hopes that a sense of reality and political will on the part of Conference members will soon lead to a response to the request of the international community that the Conference adapt to the new historical circumstances. Notwithstanding, my delegation feels that it would be wrong to link the question of expansion and the negotiations on the nuclear test-ban treaty in any way whatsoever. Enlargement of the Conference has a meaning of its own quite independent of considerations of the moment.

My delegation is also hopeful that a prompt solution will be found to other matters before this Conference that also require urgent implementation. In this context we should like to make specific reference to the work on transparency in armaments that is meant to complement in the sphere of conventional weapons the final objectives of the overall process of arms control and disarmament. The progress made and still to be made in the sphere of chemical and biological weapons and the course embarked upon in the nuclear sphere highlight the urgent need not to forget the generic treatment of conventional weapons, which continue to be the main, and not merely a potential source of problems in the world in a context that goes beyond the needs of actual defence.

Given the task before you, Mr. President, may I again wish you every success in coordinating and moving forward the work of the Conference.

The PRESIDENT (translated from Spanish): I thank the representative of Spain for his statement and in particular for his very kind words in my regard.

Mr. MOSER (Switzerland) (translated from Spanish): Mr. President, first of all, permit me to welcome you to Switzerland; I wish you a pleasant stay in this exotic country which does not have a government, just a Federal Council and 26 cantonal governments. Many congratulations on your assumption of the post of President. We listened to your inaugural statement with keen interest; I am especially grateful to you for your words on the enlargement of the Conference.

(continued in French)

The Swiss Federal Council profoundly regrets the new nuclear explosion and the recent decision no longer to keep up the moratorium on nuclear testing that France, the United States and the Russian Federation had been respecting until then. First of all, we observe that experts are not unanimous on the technical need to conduct tests in order to maintain the safety of these weapons. We also wonder to what extent deterrence is likely to be further strengthened by such tests. Moreover, the resumption of testing may complicate the difficult negotiations under way on the complete prohibition of nuclear testing, which we expect for 1996 at the latest.

(Mr. Moser, Switzerland)

We understand the anxiety of the Asian countries and the countries around the South Pacific, which fear adverse effects for the marine environment. At the same time, the new test and the announcement of fresh testing are a grave disappointment to all the non-nuclear-weapon States which accepted just a few weeks ago the indefinite extension of the nuclear non-proliferation Treaty. The nuclear-weapon States committed themselves in New York to exercising the utmost restraint regarding the continuation of testing. The countries which, like Switzerland agreed to the indefinite extension of the NPT in the firm expectation that all the nuclear-weapon States would keep their disarmament promises are therefore bound to feel disappointed. As we see it, there is at least a moral incompatibility between the resumption of nuclear tests and the commitments entered into in New York.

Lastly, the prospect of new tests deals a serious blow to global non-proliferation and nuclear disarmament efforts. It creates a disturbing precedent and could prompt other nuclear Powers to resume their testing and thus to re-launch the arms race. A threshold State could, for its part, use it as an excuse to pursue its nuclear ambitions. We are convinced that it is not in anybody's interests to trigger such a reaction. It would not at all contribute to strengthening international security.

The Swiss Federal Council ventures to hope that, in the face of this eventuality, the President of France will reverse his decision and that China will also refrain from further testing. We venture to hope that the President of France, Mr. Jacques Chirac, will announce the good news to us during his visit to Geneva, for it would be the right occasion, the right date and the right place, and there would be a world audience at the highest possible level.

The PRESIDENT (translated from French): I thank the distinguished representative of Switzerland for his statement and for the kind words addressed to me in my own language. I take note that Switzerland does not have a government, but is very well governed. That is not the case of our Conference, which does not have a government as such and is not very well governed.

(continued in Spanish)

As I do not have any other speakers on my list, I shall now, as the representative of Mexico, read a statement issued by my country in Mexico City on 20 June:

> "The Government of Mexico has communicated to the Governments of the nuclear Powers its concern at the decision by some of them to resume nuclear tests despite the exhortation by the Review and Extension Conference of the Treaty on the Non-Proliferation of Nuclear Weapons that they should exercise utmost restraint in this regard.

(The President)

It will be recalled that Mexico, supported by a large majority of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, submitted at this recent Conference in New York a concrete proposal not only for the designation of 1996 as the time-limit for the conclusion of negotiations on a convention banning all nuclear tests without exception but also for the adoption of an immediate moratorium on this type of tests.

While Mexico's first proposal was adopted by consensus, the proposal to declare an immediate moratorium on nuclear tests was not accepted, precisely because of the opposition of some nuclear Powers. Instead, as we observe above, a paragraph was included in which the nuclear States are asked to exercise the utmost restraint in this regard.

Mexico feels that the nuclear test carried out by the Republic of China on 15 May last, the announcement by France of a series of nuclear tests to be carried out in the South Pacific and the statement by a senior United States representative to the effect that his country might also resume nuclear testing do not create a propitious climate for the performance of the series of important agreements adopted by consensus at the aforementioned Conference and jeopardize not only future disarmament negotiations but also the Treaty on the Non-Proliferation of Nuclear Weapons.

Nuclear testing is the most direct method of improving military arsenals. That being so, it is inconceivable that anyone should wish to continue the arms race now, when the nuclear arsenals already in existence are estimated to be equivalent to one million times the yield of the Hiroshima atomic bomb, energy enough to wipe out the world's population forty times over.

In this context, Mexico reaffirms its decision to continue fighting in the international forums responsible for negotiating the various aspects of disarmament, to ensure that the goals that have been set are achieved and has, to that end, begun consultations with other countries that share its point of view".

Mr. ERRERA (France) (translated from French): Mr. President, I have taken note of the statement just made by the representative of Switzerland and, if you would allow me, I should like to make a few brief remarks.

I explained last week the reasons that prompted the decision by France concerning nuclear tests. I said that the decision was taken because it was necessary, I said that it was not and could not be a surprise, that it was consistent with our obligations and responsibilities in the field of non-proliferation, that it confirmed our commitment to the negotiation of a nuclear test-ban treaty and that it in no way affected our willingness for, or policy regarding disarmament. I also said last week that the French decision was in fact not one decision, but two: a first decision, that to carry out a

(Mr. Errera, France)

final series of tests limited in time and limited in number, and a second, essential decision, that to commit ourselves to signing the nuclear-test-ban treaty next year, in autumn 1996. The first decision is temporary, the second decision is definitive. The second would not have been possible without the first.

Lastly, I should like to say a word about the statements made by the representative of Switzerland. Our colleague wonders, and I quote, "to what extent deterrence is likely to be strengthened by such tests". It is not a matter of strengthening deterrence, it is a matter of maintaining credibility and of maintaining it on the basis of the strict concept of sufficiency to which we have subscribed and will subscribe as long as there are nuclear weapons in the world. Secondly, our Swiss colleague maintains that the resumption of tests might complicate the negotiations now under way on a comprehensive test-ban treaty. As I have already had occasion to say, but I will say it again, the reverse is true. Our decision bears out our commitment to the negotiations, it helps and will help to put us in a position to sign the comprehensive nuclear-test-ban treaty next year. I should like to recapitulate or repeat what I said last week: a test-ban treaty that was not signed at the same time by the five declared nuclear Powers would be meaningless, and it is that, we feel, that gives our commitment to signing the treaty next year its full significance.

To go further - and I have nearly finished - in reading the statement by our colleague from Switzerland: regarding the concerns of the South Pacific countries, I should like to remind you that concomitant with our decision are a desire for transparency and a spirit of dialogue - dialogue with the countries concerned, as is borne out by the working meeting on 20 June, that is last Monday, between the representatives of the South Pacific Forum led by the Minister for Foreign Affairs of Australia and our Minister for Foreign Affairs, transparency in the offer made by the President of the Republic for experts and scientists to come and see on the spot that these last tests, like the previous ones, will be carried out in the most stringent conditions of safety and environmental protection. Finally, as I observed last week, it is hard for me to allow it to be said that there is incompatibility between the resumption of tests and the commitments entered into by France in New York. I say again that we never disguised either in New York, in Geneva, or elsewhere the fact that the resumption of our tests was an open option. That is why, and everyone here is aware of this, we would not have been able - and I think you, Mr. President, mentioned this in your own statement - we would not have been able to subscribe in the declaration of principles and objectives to an appeal for the continuation of the present moratoriums. The countries that negotiated the declaration on principles and objectives know this very well and they understood it clearly in our discussions. It is not our custom to cover up our problems or to speak with a forked tongue; it is not our tradition, nor will it be any more so in the future. The undertakings that we have given, the texts that we have subscribed to, that we have negotiated seriously and sincerely, we will abide by. Not in order to please this country or that, but because it is part of the exercise of our international responsibilities and we shall continue to meet them to the full.

Baron GUILLAUME (Belgium) (translated from French): this being perhaps the last plenary meeting at which we shall have the pleasure of hearing Ambassador Boytha, I would like to begin by expressing to him the great esteem I have for his as a colleague and for his professional abilities and his courtesy, both essential to make a good diplomat. I should like to add that they were of particular help to him when he had to chair a difficult committee on transparency in armaments last year. I wish him good luck for the future.

I asked for the floor because I would like to react immediately to the statement just made by our Austrian colleague, Ambassador Lang. To be brief, I shall just make two points. Firstly, I can but support his appeal to all countries which have not yet done so to report to New York, to the United Nations Register on armaments. While the experiment has so far been encouraging, it will only be possible to consider it positive when a sufficient number of countries participate in it. I would like to add that an additional effort is needed to try to expand the Register. That is for New York. In Geneva, I am gratified by the stress that our Austrian colleague laid on the need to have in the CD a committee exclusively reserved to conventional weapons. It is true that since 1945 there has not been a single war in which nuclear weapons have been used. On the other hand, the numbers of conflicts and victims there have been are impressive. All these conflicts have been waged with conventional weapons. What has the CD been doing for all this time while the eyes of the world are turned towards the Yugoslav, Somali or Rwandan dramas? Nothing, or rather, it has been losing itself in procedural discussions to make sure that nothing is done in the conventional field. This is unacceptable. It is unacceptable to my delegation, it ought to be unacceptable to the entire CD, and in any case it is at all events hardly defensible in the eyes of public opinion. Mr. President, you yourself have undertaken intense consultations to try and get the CD out of the current deadlock. I can only encourage you in those endeavours and assure you of my full support for all you do to establish in the CD a committee on conventional weapons.

The PRESIDENT (translated from Spanish): I thank the representative of Belgium for his statement.

Mr. STARR (Australia): I have asked for the floor to refer just briefly to the comments by the distinguished Ambassador of France. In his comments he mentioned the fact that there had been dialogue in Paris between a mission led by the Foreign Minister of Australia and the French Government. I would like to emphasize that dialogue is important, but I think delegations should be clear that the purpose of the delegation from the South Pacific Forum that was led by the Australian Foreign Minister, Senator Evans, was to protest at the decision by the Government of France to resume testing in the South Pacific and to request the Government of France to reverse that decision. That request was rejected.

The PRESIDENT (translated from Spanish): There being no more speakers on the list, the plenary should now take up the request of Swaziland to participate in the work of the Conference. Consultations have shown that it would be acceptable for delegations to examine this request directly today, without any informal meeting, on the understanding that this does not create a precedent for future such requests. The request has been distributed to all delegations in document CD/WP.465, which you all have before you. As there is no objection, I shall take it that the Conference accepts this request.

It was so decided.

The secretariat has circulated today a timetable of meetings of the Conference and its subsidiary bodies for next week. This timetable was prepared in consultation with the Chairman of the Ad Hoc Committee on a Nuclear Test Ban. As usual, it in indicative and can, and I expect will, be changed. If there is no objection, I shall take it that the Conference approves the timetable.

It was so decided.

Concerning the Conference's next plenary meeting next week, on 29 June, we have as the first speaker on the list the Minister for Foreign Affairs of Slovakia. As I took the opportunity to mention during the presidential consultations, Mr. Andrei Kozyrev, Minister for Foreign Affairs of the Russian Federation, would like to make a statement to the Conference on the same day. However, his heavy schedule will not permit him to address this body in the morning. Accordingly, with the permission of you all, I propose to resume the plenary meeting at 3 p.m. so that the Minister can make his statement.

The next plenary meeting of the Conference will be held on Thursday, 29 June, at 10.00 a.m.

The meeting rose at 11.35 a.m.